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16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**

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26 HOOPA VALLEY TRIBE,
27 Plaintiff,
28 v.
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30 UNITED STATES BUREAU OF
31 RECLAMATION; DAVID BERNHARDT,
32 in his official capacity as Secretary of the
33 Interior; BRENDA BURMAN, in her
34 official capacity as Commissioner of the
35 United States Bureau of Reclamation;
36 ERNEST CONANT, in his official capacity
37 as U.S. Bureau of Reclamation California-
38 Great Basin Regional Director; and UNITED
39 STATES DEPARTMENT OF THE
40 INTERIOR
41
42 Defendants.

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44 Case No. 3:20-cv-05630-RS

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48 **DECLARATION OF LISA M. HOLM IN**
49 **SUPPORT OF FEDERAL**
50 **DEFENDANTS' MOTION TO DISMISS**

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55 **DECLARATION**

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57 I, Lisa M. Holm, declare as follows:

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59 1. I submit this declaration in support of the Federal Defendants' Motion to Dismiss. The
60 following facts are within my personal knowledge.

- 1 2. I am employed as a Supervisory Repayment Specialist with the U.S. Bureau of
- 2 Reclamation (Reclamation) in the Department of the Interior, with an educational
- 3 background in Mechanical and Environmental Engineering. I have been employed by
- 4 Reclamation since 2008. My current responsibilities include supervision of the water
- 5 rights and water supply contracting staff. In October 2019 I took over functional
- 6 responsibility for program-level management of the Water Infrastructure Improvements
- 7 for the Nation Act (WIIN) contract conversions within the Central Valley Project.
- 8
- 9 3. As the program manager of the WIIN Act contract conversions within the Central Valley
- 10 Project (“CVP”), I review for accuracy and completeness all contracts before they are
- 11 executed by the Regional Director of the California-Great Basin Region and I track the
- 12 status of all potential and completed contracts.
- 13
- 14 4. At this time, Reclamation has CVP-related contracts with 234 local water contractors.
- 15
- 16 5. Of those, 198 contractors hold contracts that potentially qualify for conversion, and 79
- 17 have requested that their contracts be converted pursuant to the WIIN Act.
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- 19 6. To date, Reclamation has executed 56 contracts pursuant to the WIIN Act and 34
- 20 contracts are in the process of being converted.
- 21
- 22 7. 119 contractors have water service contracts or renewable term repayment contracts and
- 23 have not requested conversion pursuant to the WIIN Act.
- 24
- 25 8. Having managed the conversion of these contracts, I can state that these contract
- 26 conversions modify the terms of repayment of long-term capital construction costs
- 27 related to the CVP. Namely, conversion contracts accelerate repayment of CVP-related
- 28 construction costs from the original due date of 2030 pursuant to the provisions of §

1 4011(a)(2) of the WIIN Act. Depending on the particular conversion contract, repayment
2 now ranges from immediate repayment to, at the latest, repayment by 2023.

3 9. The conversion contracts do not alter the *status quo* as to water delivery and therefore do
4 not affect water levels. In other words, the quantities of water to be delivered and the
5 timing of those deliveries are unaffected by the contract conversions.

6 10. The converted contracts, just like the prior contracts, condition water delivery on the
7 Federal Defendants' ability to comply with federal reclamation law.

8 I declare under penalty of perjury that the foregoing information is true and correct.
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10 Executed this 23rd day of October, 2020, in Sacramento, California.

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14 Lisa M Holm, PE

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